

POWERS, KIRN & JAVARDIAN, LLC  
By: Gregory Javardian, Esquire  
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Attorney for U.S. Bank, NA

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:  
Roman Volosevich  
Valentina Volosevich

Chapter 13 Proceeding  
09-16729 BIF

**STIPULATION BY AND BETWEEN ROMAN VOLOSEVICH AND  
VALENTINA VOLOSEVICH AND U.S. BANK, NA**

WHEREAS, the parties hereto, and their respective counsel, have agreed as to the disposition of the Motion for Relief from the Automatic Stay filed by Gregory Javardian, Esquire on behalf of mortgagee U.S. Bank, NA ("Movant").

NOW, THEREFORE, intending to be legally bound, the parties hereto, herewith stipulate as follows:

1. Movant is a mortgagee and holder of a perfected, secured claim against the Debtor pursuant to a Note and Mortgage on Debtor's real estate known as at 56 Robin Road, Southampton, PA 18966.

2. Upon approval by the United States Bankruptcy Court of the within Stipulation, Debtor and secured creditor, U.S. Bank, NA, agree to the following:

(a) Debtor(s) acknowledges that the current regular monthly post-petition mortgage payment is \$2,527.58 and late charges are assessed at

\$104.32 per month. The monthly payment is subject to change in accordance with the terms of the Note and Mortgage.

(b) Debtor(s) acknowledge that debtor(s) is currently due for the following amounts post-petition:

2/1/2010 Payment	\$2,527.58
3/1/2010 Payment	\$2,527.58
4/1/2010 Payment	\$2,527.58
Late Charges 2/2010-4/2010 (@\$104.32	\$312.96
Suspense	-\$2,531.37
Motion for Relief Attorney Fees & Costs	\$500.00
<b>TOTAL</b>	<b>\$5,864.33</b>

(c) Commencing with the May 1, 2010 payment the Debtor(s) shall resume and shall continue to make all regular monthly post petition mortgage payments when they are due in accordance with said Note and Mortgage.

(d) Within fifteen (15) days of the Court's approval of this Stipulation, Debtor(s) shall amend their Plan to provide for the payment of the post petition arrears of \$5,864.33 to U.S. Bank, NA through the Plan.

(e) Within fifteen (15) days of the Court's approval of this Stipulation Movant shall amend its Proof of Claim to add the \$5,864.33 in post petition arrears to its arrears claim.

(f) All payments from Debtor(s) to U.S. Bank, NA and/or its successors and assigns shall be in the form of certified funds.

(g) The provisions of the Stipulation do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this

Stipulation, including fees and costs, due under the terms of the mortgage and applicable law.

(h) The Debtor(s) shall timely tender all payments and comply with all conditions in accordance with this Stipulation. If such payments or conditions are not timely made, Movant may provide the Debtor(s) and their counsel with fifteen (15) days written notice of default. If the default is not cured within the fifteen (15) day period, Movant may certify the default to this Court and an Order shall be entered granting U.S. Bank, NA and/or its successors and assigns relief from the automatic stay without further notice and hearing.

(i) Should U.S. Bank, NA and/or its successors and assigns be granted relief from the stay after filing a Certification of Default in accordance with paragraph 2(h) above, the parties agree that the said relief order shall include the following language: "bankruptcy Rule 4001(a)(3) is not applicable and Movant is allowed to immediately proceed with foreclosure and all other relief available under the Non Bankruptcy law."

(j) The parties agree that a facsimile may be submitted to the Court as if it were an original.

Apr 19 10 04:28p Nathan Snyder

STIPULATED AND AGREED TO BY:

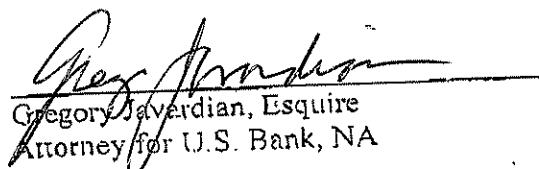
Date:

4/19/10

  
Nathan Snyder, Esquire  
Attorney for Debtor, Roman Vcosevich and Valentina Volosevich

Date:

4/20/10

  
Gregory Javardian, Esquire  
Attorney for U.S. Bank, NA

On this \_\_\_\_\_ day of \_\_\_\_\_, 2010, approved by the Court.

United States Bankruptcy Judge  
Bruce I. Fox

cc: Gregory Javardian, Esquire  
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Southampton, PA 18966

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